

RESPONSE UNDER 37 C.F.R. § 1.116
U.S. APPLN. NO. 09/214,155

Applicants submit herewith a new Declaration Under 37 C.F.R. § 1.132 clearly establishing the unexpectedly superior properties of the claimed invention when compared to the closest prior art. Entry of the Declaration is respectfully requested as Applicants believe that the declaration places the application in condition for allowance, or at least in better condition for appeal as it reduces the issues on appeal.

II. Obviousness-type Double Patenting Provisional Rejection

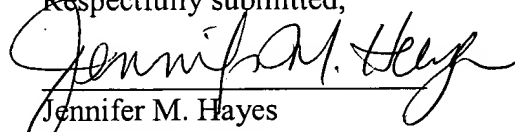
The Examiner indicates that claims 3 and 4 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 3 and 4 of co-pending application 09/068,219. Applicants submit that the copending application, serial no. 09/068,219, will be abandoned thereby rendering the rejection moot.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

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Respectfully submitted,

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